**Smith
Katzenstein
Furlow LLP**

*Attorneys at Law*

Craig B. Smith

Robert J. Katzenstein

David A. Jenkins

Laurence V. Cronin

Michele C. Gott

Kathleen M. Miller

Joelle E. Polesky

Roger D. Anderson

Robert K. Beste

Etta R. Wolfe

The Corporate Plaza
800 Delaware Avenue, Suite 1000
P.O. Box 410
Wilmington, Delaware 19899
(Courier 19801)
Phone (302) 652-8400
Fax (302) 652-8405
www.skfdelaware.com

June 23, 2008

**VIA E-FILE AND HAND DELIVERY**

The Honorable Joseph J. Farnan, Jr.
U.S. District Court for the
District of Delaware
Lock Box 27
Wilmington, DE 19801

*Re:*    ***Sea Star Line LLC v. Emerald Equipment Leasing, Inc.***
         ***Case Number: 05-245***

Dear Judge Farnan:

Trial on the Complaint is set for July 7, 2008. The trial on the Amended Counterclaim is set for September 15, 2008.

The pre-trial on the Complaint is set for tomorrow at 12:30. The parties requested this pre-trial conference because, among other things, there is a difference of opinion as to the scope of issues to be tried in July.

The parties have been working on a proposed pre-trial stipulation. However, the parties are unable to complete the stipulation because of a disagreement arising out of the previous Order of this Court bifurcating the trials on the complaint and counterclaim and the impact of the pending motion for partial summary judgment. Therefore, the parties are submitting to Your Honor a draft proposed pre-trial stipulation. The draft includes facts and issues, which each side believes to be relevant to this trial, but which the other parties does not agree should be included. In addition, not all of the facts currently listed under Section 3 are admitted. Depending on how the Court rules on the scope of the trial, some of the listed facts may be revised.
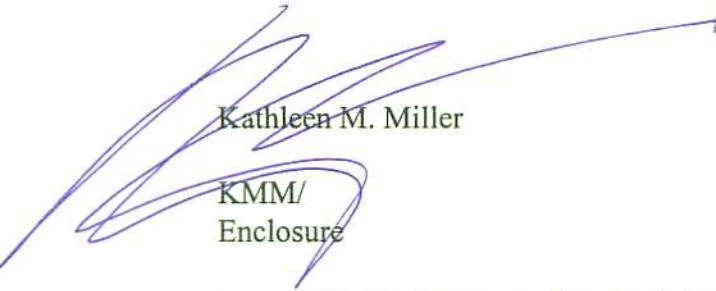
The Honorable Joseph J. Farnan, Jr.

June 23, 2008
Page 2

The parties are filing the draft proposed pre-trial stipulation in this form so that the Court will have both side's view.

Respectfully,

Kathleen M. Miller

KMM/
Enclosure

cc:     Tara L. Lattomus, Esquire (via efiling)
        Alan I. Moldoff, Esquire (via regular mail)